

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

United States of America : Case No. 1:10-CR-00182  
v. : Judge Robert Holmes Bell  
Patrick John Corp :

**DEFENDANT'S MOTION FOR UPDATED OR  
SUPPLEMENTAL PRESENTENCE REPORT**

Now comes Patrick Corp and moves this Honorable Court to Order that an updated or supplemental presentence report be prepared in this matter. A memorandum in support of this motion, certificates earned by Corp while in prison, and letters from interested third parties are attached hereto. Counsel for the United States, Mr. Mekaru, objects to the granting of this motion.

Respectfully submitted,

/s Paul Croushore  
P.O. Box 19275  
Cincinnati, OH 45275  
(513) 225-6666  
Attorney for Patrick John Corp

**MEMORANDUM IN SUPPORT OF MOTION FOR  
UPDATED OR SUPPLEMENTAL PRESENTENCE REPORT**

Title 28 U.S.C. § 2106 permits appellate courts to grant limited or general remands. A general remand requires a *de novo* resentencing. In the instant case, in addition to remanding for reconsideration of the application of § 2G2.1(b)(4), the Sixth Circuit held as to the substantive reasonableness of Mr. Corp's sentence that, "Our remand provides the district judge with the opportunity to address explicitly this issue raised by Corp." *United States v. Corp*, 668 F.3d 379,

392 (2012). A substantive reasonableness inquiry requires *de novo* sentencing because it requires the court's consideration of the entire range of facts and offense conduct. It is thus not merely a limited remand to adjust one particular factor. In this case that means that it would be appropriate to update or supplement Mr. Corp's presentence report to reflect events which have transpired in the nineteen months since his original sentencing.

While in prison, Mr. Corp has worked to redeem himself, having earned certificates for studies in adult continuing education courses and undergoing counseling. These courses include Drug Abuse Education, The Cosmos, Short Story Development, Creative Writing, Introduction to Spanish, and Healthy Relationships.

At sentencing, Mr. Corp's son, mother, and a female friend will testify as to the person they know, and that locking him up for more than the absolute minimum possible time would not accomplish any of the objectives of prison other than retribution. Mr. Corp's position is reinforced by the attached letters from friends and family, including Rachel Leonard, Jennifer Stevens, Albert G. Fox II, Eric James, Edgar Theodore Rakowski, and Loren Andres.

Because of Mr. Corp's efforts, he is a substantially different person than the man who was originally sentenced, and it is only just that this be reflected in the presentence investigation.

Respectfully submitted,

/s Paul Croushore  
Paul Croushore, JD, LLM  
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(513) 225-6666  
Attorney for Patrick John Corp.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am a licensed attorney admitted in the Western District of

Michigan, and that on the 14<sup>th</sup> day of May2012, I served a true and correct copy of the following-described document on the following:

DOCUMENT SERVED: Defendant's Motion for Updated Presentence Report

PARTIES SERVED: DANIEL MEKARU, Asst U.S. Attorney

( x) ECF

/s Paul Croushore